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FEB 10 2005

**WILLIAMS, MORGAN & AMERSON, P.C**

10333 Richmond Drive, Suite 1100, Houston, Texas 77042

phone: 713-934-7000 fax: 713-934-7011

**FACSIMILE TRANSMITTAL SHEET****URGENT FAX  
GROUP ART UNIT 2182**

DATE: FEBRUARY 10, 2005

TO: COMMISSIONER FOR PATENTS TOTAL NO. OF PAGES INCLUDING COVER: 7

FAX: 703.872.9308 PHONE:

FROM: KATHRYN DANAS

RE: RESPONSE TO NOTICE OF ABANDONMENT FILE: 2000.066300/DE0031  
2069.013100  
S/N 09/904,748☒ URGENT ☐ FOR REVIEW ☐ PLEASE YOUR FILE ☐ PLEASE REPLY ☐ PLEASE HANDLEORIGINAL: ☐ WILL FOLLOW ☒ WILL NOT FOLLOW**NOTES/COMMENTS:**

IN RESPONSE TO YOUR NOTICE OF ABANDONMENT DATED FEBRUARY 2, 2005  
REGARDING FAILURE TO PAY THE ISSUE FEE AND PUBLICATION FEE.

APPARENTLY THERE HAS BEEN AN OVERSIGHT BY ONE OF THE EXAMINERS AT  
THE USPTO. BACK ON OCTOBER 6, 2004 WE FILED WITH THE USPTO BY FACSIMILE THE  
ISSUE FEE TRANSMITTAL FORM AUTHORIZING USPTO TO DEDUCT THE REQUIRED  
FEES FROM LEGERITY, INC.'S DEPOSIT ACCOUNT 50-1591. ALSO ENCLOSED IS A  
PHOTOCOPY OF USPTO'S AUTO-REPLY FACSIMILE TRANSMISSION CONFIRMING  
USPTO RECEIPT OF SAME DATED OCTOBER 5, 2004 AT 1:34:38pm (EASTERN DAYLIGHT  
TIME).

MARK W. SINCELL | Patent Agent  
Williams, Morgan & Amerson, P.C.  
10333 Richmond | Suite 1100 | Houston, TX 77042  
Voice: 713-934-4052 | Fax: 713-934-7011  
EMAIL: [MSINCELL@WMALAW.COM](mailto:MSINCELL@WMALAW.COM)

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02/10/2005

11:10

WMA -&gt; 17038729306

NO. 218

002



## UNITED STATES PATENT AND TRADEMARK OFFICE

DOCKETING DEPT.

FEB 9 2005

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Patent Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

WILLIAMS, MORGAN &amp; AMERSON

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,748	07/13/2001	Stephen Rosner	2000.066300/DE0031	3352
23720	7590	02/02/2005	EXAMINER	
WILLIAMS, MORGAN & AMERSON, P.C. 10333 RICHMOND, SUITE 1100 HOUSTON, TX 77042			SHIN, CHRISTOPHER B	
			ART UNIT	PAPER NUMBER
			2182	

DATE MAILED: 02/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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09/904748

EXAMINER
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ART UNIT	PAPER NUMBER
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NOTICE OF ABANDONMENT

DATE MAILED: *Petition to bring*  
DOCKETED *(assuree)*  
FOR *3/2/05*  
BY *John*  
CHKD BY *John*

This application is abandoned in view of:

- ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on \_\_\_\_\_
- ☐ A reply (with Certificate of Mailing or Transmission of \_\_\_\_\_) was received on \_\_\_\_\_ which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_
- ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
- ☐ A reply was received on \_\_\_\_\_, but it does not constitute a proper reply, or a *bona fide* attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in the last box below).
- ☐ No reply has been received.
- ☒ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
- ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85) (or Notice of Publication Fee Due).
- ☐ The submitted fee of \$ \_\_\_\_\_ is insufficient. A balance of \$ \_\_\_\_\_ is due.  
The issue fee by 37 CFR 1.18 is \$ \_\_\_\_\_. The publication fee, if required, by 37 CFR 1.18(d) is \$ \_\_\_\_\_.
- ☒ The issue fee and publication fee, if applicable, have not been received.
- ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTOL-37).
- ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
- ☐ No corrected drawings have been received.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interferences rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below: \_\_\_\_\_

Resolutions to revive (under 37 CFR 1.137(a) or (b)), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

02/10/2005

11:10

WMA → 17038729306

NO.218

004

USPTO  
:Auto-reply fax to 7139347011 COMPANY: 10/5/2004 1:41 PM PAGE 1/00 Fax Server



## Auto-Reply Facsimile Transmission

TO:

Fax Sender at 7139347011

Fax Information

Date Received:

10/5/2004 1:34:38 PM [Eastern Daylight Time]

Total Pages:

3 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received  
Cover  
Page  
=====>

10/05/2004 12:30 WMA → 17038729306		NO.218 004
<b>WILLIAMS, MORGAN &amp; AMERSON, P.C</b>		
10333 Richmond Drive, Suite 1100, Houston, Texas 77042 phone: 713-934-7000 fax: 713-934-7011		
FACSIMILE TRANSMITTAL SHEET		
<b>ISSUE FEE</b>		
DATE:	OCTOBER 5, 2004	
TO:	MAIL STOP: ISSUE FEE	TOTAL NO. OF PAGES INCLUDING COVER: 3
FROM:	703.740.4000	PHONE:
RE:	KATHRYN DANAB	
	NOTICE OF ALLOWANCE DATED	FILE: 2069.013100
	SEPTEMBER 29, 2004	S/N 09/204,748
ISSUE FEE TRANSMITTAL		
<input type="checkbox"/> URGENT <input type="checkbox"/> FOR REVIEW <input type="checkbox"/> PLEASE YOUR FILE <input type="checkbox"/> PLEASE REPLY <input type="checkbox"/> PLEASE HANDLE <input type="checkbox"/> ORIGINAL <input type="checkbox"/> WILL FOLLOW <input checked="" type="checkbox"/> WILL NOT FOLLOW		
NOTES/COMMENTS:		
The Commissioner is hereby authorized to deduct the required fees from Legent, Inc.'s Deposit Account 50-1591/DE0031. If funds are insufficient, the Commissioner is authorized to deduct the required fees from Williams, Morgan & Amerson's Deposit Account 50-0786/2069.013100.		
MARK W. GINGELLI Agent Williams, Morgan & Amerson, P.C. 10333 Richmond   Suite 1100   Houston, TX 77042 Voice: 713-934-4052   Fax: 713-934-7011 EMAIL: MGINGELLI@WMA-AMERSON.COM		
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PAGE 1/3 RCVD AT 10/05/2004 1:34:38 PM [Eastern Daylight Time] SVR:USPTO-EFXXF-1/0 DNIS:7139347011 CSID:7139347011 DURATION (mm-ss):03-22		

ORIGINAL

## MESSAGE CONFIRMATION

10/05/2004 12:31

ID=WMA

DATE	S.R-TIME	DISTANT STATION ID	MODE	PAGES	RESULT
10/05	01'31"	USPTO	CALLING	03	OK 0000

10/05/2004 12:30 WMA → 17037464000

NO.079 001

## WILLIAMS, MORGAN &amp; AMERSON, P.C

10333 Richmond Drive, Suite 1100, Houston, Texas 77042

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## FACSIMILE TRANSMITTAL SHEET

## ISSUE FEE

DATE: OCTOBER 5, 2004

TO: MAIL STOP: ISSUE FEE TOTAL NO. OF PAGES INCLUDING COVER: 2

FAX: 703.746.4000 PHONE:

FROM: KATHRYN DANAS

RE: NOTICE OF ALLOWANCE DATED FILE: 2069.013100  
SEPTEMBER 28, 2004 S/N 09/904,748

## ISSUE FEE TRANSMITTAL

☐ URGENT ☐ FOR REVIEW ☐ PLEASE YOUR FILE ☐ PLEASE REPLY ☐ PLEASE HANDLEORIGINAL: ☐ WILL FOLLOW ☒ WILL NOT FOLLOW

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10333 Richmond Drive, Suite 1100, Houston, Texas 77042

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**FACSIMILE TRANSMITTAL SHEET****ISSUE FEE**

DATE: OCTOBER 5, 2004

TO: MAIL STOP: ISSUE FEE TOTAL NO. OF PAGES INCLUDING COVER: 2

FAX: 703.746.4000 PHONE:

FROM: KATHRYN DANAS

RE: NOTICE OF ALLOWANCE DATED FILE: 2069.013100  
SEPTEMBER 28, 2004 S/N 09/904,748**ISSUE FEE TRANSMITTAL**☐ URGENT ☐ FOR REVIEW ☐ PLEASE YOUR FILE ☐ PLEASE REPLY ☐ PLEASE HANDLEORIGINAL: ☐ WILL FOLLOW ☒ WILL NOT FOLLOW

## NOTES/COMMENTS:

The Commissioner is hereby authorized to deduct the required fees from Legerity, Inc.'s Deposit Account 50-1591/DE0031. If funds are insufficient, the Commissioner is authorized to deduct the required fees from Williams, Morgan & Amerson's Deposit Account 50-0786/2069.013100.

MARK W. SINCELL Agent  
Williams, Morgan & Amerson, P.C.  
10333 Richmond | Suite 1100 | Houston, TX 77042  
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EMAIL: [MSINCELL@WMALAW.COM](mailto:MSINCELL@WMALAW.COM)

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## PART B - FEE(S) TRANSMITTAL

RECEIVED  
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FEB 10 2005

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note Use Block 1 for any change of address)

023720

7590

09/28/2004

WILLIAMS, MORGAN & AMERSON, P.C.  
10333 RICHMOND, SUITE 1100  
HOUSTON, TX 77042

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

Kathryn Danae (Depositor's name)  
October 5, 2004 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/004,748	07/13/2001	Stephan Rosner	2000.066300/DE0031	3352

TITLE OF INVENTION: METHOD AND APPARATUS FOR ACCESSING MEMORIES HAVING A TIME-VARIANT RESPONSE OVER A PCI BUS BY USING TWO-STAGE DMA TRANSFERS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$0	\$1330	12/28/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
SHIN, CHRISTOPHER B	2182	710-025000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

Williams, Morgan  
& Amerson

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Legerity, Inc.

Austin, Texas

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee  
☐ Publication Fee (No small entity discount permitted)  
☒ Advance Order - # of Copies

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-1591-100003 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date October 5, 2004

Typed or printed name

Mark W. Stancell

Registration No. 52,226

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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